

AUG 10 2006

Application No. 10/715653  
Amendment dated  
After Final Office Action of May 31, 2006

Docket No.: 0111453.00122US3

### REMARKS

Claims 1-21 are pending in the application. With this response, non-elected and withdrawn claims 1-13 have been canceled. Reconsideration of the claims, in light of the remarks that follow, is respectfully requested.

Claims 14-21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Feygin (U.S. 5,957,167), and claims 14-16, 18, 20, and 21 stand rejected as being anticipated by Rose (U.S. 6,551,557). The Examiner argues that Rose and Feygin both disclose all of the limitations of claim 14. We disagree, however, that either Rose or Feygin discloses or suggests "a plurality of pin-lifting mechanisms, each associated with a different one of said subsets for lifting the pins of the subset together relative to the printhead," as recited in claim 14.

Feygin discloses a dispenser that includes multiple fluid dispensing members, and either a single mechanism that moves a single fluid dispensing member, or a single mechanism that moves all the fluid dispensing members together. For example, Fig. 6 shows a spring 614 that accelerates a single fluid dispensing member. Fig. 8 shows "a distinct solenoid [that] is provided for each fluid-dispensing member" (col. 5, lines 21-22). In both of these dispensers, each fluid dispensing member has one associated mechanism. Alternately, Fig. 8 shows a set of springs 714a, 714b attached to a base 718, i.e., a single mechanism, that accelerates all of the fluid dispensing members together.

Rose discloses a random access printhead that includes an array of floating contact transfer tips 200 and solenoid actuators 238 that are "positioned above respective tips 200" (col. 6, line 45). Rose discloses that "when the solenoids 238 are energized they attract respective bases 234 to close the respective gaps 242 between the respective tips 200 and the respective solenoids" (col. 6, lines 48-51). In other words, each tip has one corresponding solenoid.

In contrast, the claims require "a plurality of pin-lifting mechanisms, each associated with a different one of said subsets for lifting the pins of the subset together relative to the printhead," as recited in claim 14. In other words, each pin-lifting mechanism is associated with a different subset of pins. The mechanism thus lifts the pins of the associated subset together. Fig. 4E illustrates an embodiment of a pin-lifting mechanism 430 that is associated with a subset

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of 4 pins, and Fig. 4F illustrates an embodiment of a pin-lifting mechanism 440 that is associated with a subset of 8 pins. The specification specifically contrasts the characteristics of pin-lifters associated with individual pins and those of pin-lifters associated with subsets of pins:

However, although multiple-pin pin-lifters 430 and 440 do not provide random access control over every pin in the printhead, the control circuitry for controlling an array of multiple-pin pin lifters 430, 440 is generally less complex than the control circuitry for controlling an array of single-pin pin-lifters 420 (i.e., because fewer independent elements need to be controlled). Also, an array of multiple-pin pin lifters is generally less mechanically complex than an array of single-pin pin-lifters (i.e., assuming that both arrays cover the same number of pins) (p. 15).

So, a pin-lifting mechanism associated with a subset of pins is structurally different from a pin-lifting mechanism associated with a single pin.

The Examiner argues that the phrase “for lifting the pins of the subset together relative to the printhead” as recited in claim 14 is an “intended use limitation,” and that therefore “the reference merely needs to contain a plurality of pin lifting mechanisms each associated with a different one of the array subsets” (Final Office Action, p. 3). The examiner thus appears to be ignoring stated limitations of the claim.

The concept of a mere “intended use” and whether it serves as a limitation appears in the MPEP in the context of preambles. For example, MPEP Section 2111.02 states: “a preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness.” But the limitation in claim 14, “for lifting the pins of the subset together relative to the printhead,” is not in the preamble, but it in the body of the claim. Moreover, this is not a case where a manner of operation is the distinguishing feature – it is the structural association that different. Consequently, there is no basis for ignoring a limitation in the claim.

The Examiner has not pointed to any language in either Feygin or Rose that discloses that each pin-lifting mechanism is associated with a different subset of pins. This is a structural limitation recited in claim 14. Instead, Feygin and Rose disclose single mechanisms associated with single pins/dispensers. Feygin additionally discloses a single mechanism associated with all dispensers.

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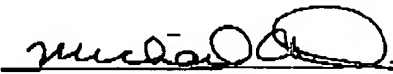
If the Examiner feels that claim 14 is novel, but that it does not point out clearly enough that each given pin-lifting mechanism is associated with a particular subset of pins, the examiner is urged to contact applicant's attorney at the telephone number listed below to discuss an Examiner's amendment -- e.g., to state that "each mechanism of the plurality of mechanisms" is associated with a single subset of pins, or to call the pin-lifting mechanisms "multiple-pin pin-lifters," which the specification explicitly distinguishes from "single-pin pin-lifters" at p. 15.

In summary, Feygin and Rose do not anticipate claim 14 or claims dependent thereon.

In view of the above amendment, applicants believe the pending application is in condition for allowance, and therefore respectfully request the Examiner allow the claims to issue. No fees are believed to be due at this time. However, please charge any fees, or credit any overpayments, to Deposit Account No. 08-0219.

Respectfully submitted,

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